

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

HOME SOLUTIONS, LLC,	:	
	:	Civil Action No. 2:20-CV-02349
Plaintiff,	:	
	:	Honorable Karen S. Marston
vs.	:	
	:	
AVS INSURANCE AGENCY, INC.,	:	Notice of Voluntary Dismissal of Plaintiff's
	:	Complaint With Prejudice Pursuant to
Defendant.	:	Fed. R. Civ. Pro. 41(a)(1)(A)(i)
	:	

Plaintiff, by and through its undersigned counsel, Langsam Steven Silver & Hollaender LLP, hereby submits this Notice of Voluntary Dismissal pursuant to Federal Rule of Civil Procedure 41, and requests dismissal of the above civil action with prejudice.

1. Under Federal Rule of Civil Procedure 41(a)(1)(A), a plaintiff may voluntarily dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. FED. R. C. P. 41(a)(1)(A)(i).

2. A plaintiff's ability to voluntarily dismiss an action under Federal Rule of Civil Procedure 41(a)(1)(A) is only limited by the Federal Rules governing suits related to class actions and receiverships, which are not applicable here.

3. On September 23, 2021, the Court issued an Order requiring Plaintiff to serve Defendant personally, by email, and by certified mail (return receipt requested) by October 7, 2021. Plaintiff was also required to file an Affidavit of Service demonstrating compliance with the October 7, 2021 Order and service upon Defendant. See ECF Doc. 12.

4. Undersigned counsel has been unable to locate and identify a person authorized to accept service personally and by email on behalf of Defendant.

5. Defendant has not filed an Answer to Plaintiff's Complaint, a motion for summary judgment, or otherwise appeared before the Court to defend the claims in this matter.

6. Dismissal of the Complaint with prejudice will preserve this Honorable Court's judicial resources and bring peace of mind to the parties by fully and finally resolving litigation surrounding the underlying accident.

WHEREFORE, Plaintiff respectfully requests this Honorable Court dismiss the Complaint with prejudice.

Respectfully submitted,

Langsam Stevens Silver & Hollaender LLP

Dated: October 12, 2021

By: /s/ Charles M. Adams, Esquire

Charles M. Adam, CPCU, Esquire

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Attorneys for Plaintiff

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	:	
AVS INSURANCE AGENCY, INC.,	:	
	:	
Defendant.	:	
	:	

CERTIFICATE OF SERVICE

I, Charles M. Adams, CPCU, Esquire, do hereby certify that a true and correct copy of the foregoing Notice of Voluntary Dismissal was filed this date via the United States District Court's ECF System and thereby deemed served on all counsel of record pursuant to the Federal Rules of Civil Procedure.

Respectfully submitted,

Langsam Stevens Silver & Hollaender LLP

Dated: October 12, 2021

By: /s/ Charles M. Adams, Esquire
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